



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,698	10/22/2001	Tim Keith	2976-4044US1	2256

7590 12/17/2003

Richard C. Komson  
MORGAN & FINNEGAN, L.L.P  
345 Park Avenue  
New York, NY 10154-0053

EXAMINER
----------

SULLIVAN, DANIEL M

ART UNIT	PAPER NUMBER
----------	--------------

1636

DATE MAILED: 12/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER
----------

ART UNIT
----------

PAPER
-------

1203

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

Applicant's response to the restriction requirement mailed 18 April 2003 is not fully responsive. In response to restriction of the claims to an isolated nucleic acid and variants thereof, Applicant has amended the claims such that they are now directed to variants of the sequence encoding the polypeptide set forth as SEQ ID NO:111 comprising at least one amino acid change and resulting from various single nucleotide polymorphisms. However, as stated in the previous Office Action, each claim directed to a specifically disclosed sequences is further restricted to a single sequence. Therefore, Applicant must elect a single nucleotide sequence for examination. As the reply to the Office Action appears to be a bona fide attempt to forward prosecution of the application, Applicant is given 1 month to respond to this communication by electing a single sequence for prosecution.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel M Sullivan whose telephone number is 703-305-4448. The examiner can normally be reached on Monday through Friday 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Remy Yucel, Ph.D. can be reached on 703-305-1998. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Please note: Art Unit 1636 will be moving to the new USPTO facilities on 14 January 2004. After that date, Examiner Sullivan can be reached at 571-272-0779 and Examiner Yucel can be reached at 571-272-0781.

*Anne-Marie Falk*  
ANNE-MARIE FALK, PH.D.  
PRIMARY EXAMINER